

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
:  
EVAN MIRANDA, et al., :

Plaintiffs, :

24-CV-09792 (JAV)

-v- :

ORDER

YORK HILL HOUSING INC., et al. :

Defendants. :

-----X  
JEANNETTE A. VARGAS, United States District Judge:

On June 13, 2025, Defendant Housing Preservation and Development filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. ECF Nos. 31 – 33. On June 13, 2025, Defendants First Service Residential New York, Inc. and York Hill Housing, Inc. filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. ECF Nos. 34 – 35. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

It is hereby ORDERED that, Plaintiffs shall file any amended complaint by **July 23, 2025**. Plaintiffs will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.


If Plaintiffs do amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants file a new motion to dismiss or indicate that they rely on their previously filed motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, the existing briefing schedule shall remain in effect, pursuant to which Plaintiffs shall file any opposition to the motion to dismiss by **July 23, 2025**, and Defendants shall file any reply by **July 30, 2025**.

SO ORDERED.

Dated: July 2, 2025

New York, New York

  
 JEANNETTE A. VARGAS  
 United States District Judge